



Docket No. PPC834CIP3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nawaz Ahmad, et al.

Serial No.: 10/696,939

Art Unit: 1714

Filed : October 30, 2003

Examiner: Edward J. Cain

For : WARMING AND NONIRRITATING LUBRICANT COMPOSITIONS
AND METHOD OF COMPARING IRRITATION

Commissioner of Patents
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

Your petitioner, McNeil-PPC, Inc., a corporation of the State of New Jersey, having a registered office at 199 Grandview Road, Skillman, NJ 08558, represents that it is the Assignee of the entire right, title and interest in and to the subject matter disclosed in the above-captioned patent application, U.S. Serial No. 10/696,939, filed October 30, 2003 as evidenced by the documents sent on February 19, 2004 for recording in the United States Patent and Trademark Office and recorded at Reel 014999/Frame 0729. McNeil-PPC, Inc. is also the owner of U.S. Patent No. 7,005,408 as evidenced by the documents sent on August 21, 2002 for recording in the United States Patent and Trademark Office and recorded at Reel 013214/Frame 0209.

Your Petitioner, McNeil-PPC, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 10/696,939 which would extend beyond the expiration date of U.S. Patent No. 7,005,408 and hereby agrees that any patent so granted on Serial No. 10/696,939 shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to U.S. Patent No. 7,005,408, this agreement to run with any patent granted on application Serial No. 10/696,939 and to be binding upon the grantee, its successors or assigns.

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The Terminal Disclaimer fee and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/PPC834CIP3/ALC. Three copies of this sheet are enclosed.

Signed at New Brunswick, New Jersey this 27th day of June, 2006. The undersigned is attorney of record.

Respectfully submitted,
McNeil-PPC, Inc.

/Andrea L. Colby/

Andrea L. Colby
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Date: June 28, 2006

For the same reasons as set forth above, applicants respectfully request reconsideration of the rejection of Claims 2-5, which are dependent upon claim 1. These claims are further distinguishable from the descriptions set forth in Meignant and Evenstad et al. by the materials recited therein, particularly within the claimed combination.

For the foregoing reasons, applicants respectfully submit that the above-captioned application is now clearly in condition for allowance. Accordingly, favorable reconsideration of the above remarks and an early Notice of Allowance are courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned Attorney at the below-listed number.

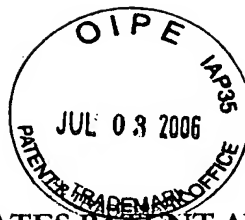
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 10-0750.

Respectfully submitted,

/Andrea L. Colby/

Andrea L. Colby
Reg. No. 30,194
Attorney for Applicants

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McNeil-PPC, Inc.

/Andrea L. Colby/

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